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6 IN THE UNITED STATES DISTRICT COURT  
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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10 PAUL WARFIELD,

11 Plaintiff,

No. C 08-04593 WHA

12 v.

13 CHARLES O. BAKER, RON NEWGARD,  
14 and F/V LINDA KAY, and DOES ONE  
through TEN, inclusive,

**ORDER TO SHOW CAUSE**


15 Defendants.  
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17 On motion by plaintiff's counsel, the case management conference was continued and  
18 the new date was set for February 12. The new date was of record very shortly after the motion  
19 was made. In addition, the Court's secretary called both sides to remind them that even though  
20 they failed to file a joint case management statement, they still needed to be present on  
21 February 12 at 11:00 a.m. for the case management conference. Nonetheless, plaintiff's counsel  
22 failed to appear for the conference. Defense counsel did appear and made a reasonable  
23 presentation that this action should be transferred to the Western District of Washington.  
24 Plaintiff is **ORDERED TO SHOW CAUSE** why this case should not be so transferred. This  
25 submission is due by **FEBRUARY 20, 2009, AT NOON**. Plaintiff is also **ORDERED TO SHOW**  
26 **CAUSE** why, in the alternative, this action should not be dismissed (without prejudice) for lack  
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1 of prosecution. Please submit the response to the order to show cause on the same schedule as  
2 above.

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4 **IT IS SO ORDERED.**

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6 Dated: February 12, 2009.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE